IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Revision No. 19 of 2003
Date of decision: 31.08.2010

Hakam Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: - HON'BLE MR. JUSTICE A.N. JINDAL

Present: - Mr. S.K. Bawa, Advocate,
for the petitioner.

Mr. Amit Chaudhary, AAG, Punjab.

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A.N. JINDAL, J. (Oral)

Assailed in this petition is to the judgment dated 21.12.2002 passed by Additional Sessions Judge, Barnala, dismissing the appeal filed by him against the judgment of conviction and order of sentence dated 17.05.2000, passed by Judicial Magistrate 1st Class, Barnala convicting and sentencing him under Sections 279, 337 and 338 of the Indian Penal Code.

The allegations against the accused are that on 06.05.1997, Bhagwan Singh along with Varinder Kumar were returning from Dhanaula on a jeep bearing No. JKN-8947. At about 11.00 a.m. when they reached near village Mannapindi, the accused while driving the truck bearing No. PBD-4813 rashly and negligently struck against the jeep and caused him injuries. Consequently, the present case was registered and investigated. On trial, the accused

was convicted and his appeal was also dismissed.

Having considered the impugned judgment, it transpires that the prosecution case stands established from the testimony of PW-5 Bhagwan Singh which finds corroboration from PW-6-Dalbara Singh. The Medical evidence also fits in with the ocular version. Even otherwise, there are concurrent findings of both the Courts below regarding the rashness and negligence on the part of the accused. No arbitrariness or perversity has been shown in the judgments so as to interfere in the same.

Thus, while finding no exception to the impugned judgment, recorded by the court below, this revision petition is dismissed.

(A.N. JINDAL)
JUDGE

31.08.2010
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